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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,096	09/05/2003	Hideomi Idei	16869S-094000US	9922

20350	7590	09/26/2006

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EXAMINER
GILLIS, BRIAN J

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 August 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 September 2003 and 18 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☒ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an

application filed in Japan on July 11, 2003. It is noted, however, that applicant has not

filed a certified copy of the 2003-195451 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 19 recites the limitation "said program" in line 2. There is insufficient

antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said information" in lines 2-3. There is insufficient

antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the server" in line 4. There is insufficient

antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said program" in line 7. There is insufficient

antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said unused blocks" in line 9. There is insufficient

antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7, 8, 13, and 14 are rejected under 35 U.S.C. 102(e) as being

anticipated by Shillo (US PGPUB US2003/0110263).

(Claim 1 discloses) a management server connected to a plurality of servers to

manage storage areas included in storage apparatuses as virtual storage areas;

wherein said storage apparatuses are shared by said plurality of servers (Shillo shows

storage areas are shared by multiple servers (paragraph 41).); and said storage

apparatuses include assignment areas which are storage areas assigned to at least one

of said plurality of servers (Shillo shows the virtual storage pool made by the grouping of

the storage resources knows how much space each application is allocated in the pool

(paragraph 42).); said management server being responsive to an area assignment

instruction of storage areas exceeding unassigned areas received from one of said

plurality of servers to release at least part of said assignment areas of other servers as

unassigned areas and assign released areas to one of said plurality of servers (Shillo

shows a re-allocation process takes place to re-allocate unused resources which are

assigned to applications (paragraph 43)).

(Claim 2 discloses) a management server according to claim 1, wherein said assignment areas of said storage apparatuses include used areas and unused areas (Shillo shows the virtual storage pool has used and unused areas (paragraph 43).); and said management server includes information for identifying said used areas and said unused areas of said assignment areas (Shillo shows a server can detect how much allocated space each application actually uses (paragraph 42).); said management server being responsive to an area assignment instruction of storage areas exceeding the unassigned areas received from one of said plurality of servers to release at least part of said unused areas of said assignment areas of other servers on the basis of said identification information as unassigned areas and assign released areas to one of said plurality of servers (Shillo shows the managing server reallocates the unused portion of the allocated space (paragraph 43)).

(Claim 7 discloses) a storage apparatus system comprising: a storage apparatuses; and a management server connected to a plurality of servers and said storage apparatuses (Shillo shows a managing server and multiple storage devices (paragraphs 41 and 42).); said management server managing storage areas of said storage apparatuses as virtual storage areas (Shillo shows the managing server manages a virtual storage pool which is a collection of all the storage resources available (paragraph 42).); said storage apparatuses being shared by said plurality of servers (Shillo shows storage areas are shared by multiple servers (paragraph 41).); said storage apparatuses including assignment areas which are storage areas assigned to at least one of said plurality of servers (Shillo shows the virtual storage pool made by

the grouping of the storage resources knows how much space each application is

allocated in the pool (paragraph 42).); said management server being responsive to an

area assignment instruction of storage areas exceeding unassigned areas received

from one of said plurality of servers to release at least one of assignment areas of other

servers as unassigned area and assign released areas to one of said plurality of servers

(Shillo shows a re-allocation process takes place to re-allocate unused resources which

are assigned to applications (paragraph 43)).

(Claim 8 discloses) a storage apparatus system according to claim 7, wherein

said assignment areas of said storage apparatuses include used areas and unused

areas (Shillo shows the virtual storage pool has used and unused areas (paragraph

43).); and said management server includes information for identifying said used areas

and said unused areas of said assignment areas (Shillo shows a server can detect how

much allocated space each application actually uses (paragraph 42).); said

management server being responsive to an area assignment instruction of storage

areas exceeding the unassigned areas received from one of said plurality of servers to

release at least part of said unused areas of other servers on the basis of said

identification information as unassigned areas and assign released areas to one of said

plurality of servers (Shillo shows the managing server reallocates the unused portion of

the allocated space (paragraph 43)).

(Claim 13 discloses) a computer program product for a management server

which manages storage areas included in storage apparatuses as virtual storage areas,

wherein said management server is connected to a plurality of servers; and said storage

apparatuses are shared by said plurality of servers through said management server and include assignment areas which are storage areas assigned to at least one of said plurality of servers; and said computer program product comprising: code for being responsive to an area assignment instruction of storage areas exceeding unassigned areas received from one of said plurality of servers to release at least part of assignment areas of other servers as unassigned areas and assign released area to one of said plurality of servers (Shillo shows a re-allocation process takes place to re- allocate unused resources which are assigned to applications (paragraph 43)); and a computer readable storage medium for storing said code (Shillo shows a computer program product on a computer-readable medium (page 6 #14)).

(Claim 14 discloses) a computer program product according to claim 13, wherein said assignment areas of said storage apparatuses include used areas and unused areas (Shillo shows the virtual storage pool has used and unused areas (paragraph 43).); and said computer program product further comprising: code for information for identifying said used areas and said unused areas of said assignment areas (Shillo shows a server can detect how much allocated space each application actually uses (paragraph 42).); said code for releasing at least part of assignment areas of other servers as unassigned areas including code for being responsive to the area assignment instruction of storage areas exceeding unassigned areas received from one of said plurality of servers to release at least part of said unused areas of other servers as unassigned areas on the basis of said identification information (Shillo shows the managing server reallocates the unused portion of the allocated space (paragraph 43)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 4, 9, 10, 15, and 16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shillo (US PGPUB US2003/0110263) in view of Naik et al (US

PGPUB US2004/0205206).

Claim 3 discloses a management server according to claim 1, wherein data

stored in said assignment areas of said storage apparatuses includes high-priority data

having high priority and low-priority data having low priority; and said management

server judges whether data to be written in said storage apparatuses is the high-priority

data or the low-priority data on the basis of a write request of data from one of said

plurality of servers and keeps judgment result and position information of storage areas

in which said data is written; said management server being responsive to an area

assignment instruction of storage areas exceeding the unassigned areas received from

one of said plurality of servers to release at least part of areas in which the low-priority

data is stored, of the assignment areas of other servers as unassigned areas and

assign released·areas to one of said plurality of servers. Shillo teaches of the

limitations of claim 1 as recited above and teaches of data stored in assigned areas of

devices (paragraph 42). It fails to teach of including high and low priority data, judging

whether the data is high or low priority, and releasing low priority data and reassigning it

to another device. Naik et al teaches of a server assigns priority based on the user who issued the request and keeps info on the mapping (paragraphs 63 and 69), and when needed low priority tasks are scaled back and resources reallocated in favor of tasks flagged high priority (paragraph 71).

Shillo and Naik et al are analogous art because they are both related to managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the priority flagging and judging in Naik et al with the system in Shillo because inefficient use of available resources and high costs are avoided (Naik, paragraph 71).

Claim 4 discloses a management server according to claim 2, wherein data stored in the used areas in said assignment areas of said storage apparatuses includes high-priority data having high priority and low-priority data having low priority; and said management server judges whether data to be written in said storage apparatuses is the high-priority data or the low-priority data on the basis of a write request of data from said server and keeps judgment result and position information of storage areas in which said data is written; said management server being responsive to an area assignment instruction of storage areas exceeding the unassigned areas received from one of said plurality of servers to release at least part of unused areas and at least part of areas in which the low-priority data is stored, of the assignment areas of other servers as unassigned areas and assign released areas to one of said plurality of servers. Shillo teaches of the limitations of claim 2 as recited above and teaches of

data stored in assigned areas of devices, and reallocating unused resources already allocated (paragraphs 42 and 43). It fails to teach of including high and low priority data, judging whether the data is high or low priority, and releasing low priority data and reassigning it to another device. Naik et al teaches of a server assigns priority based on the user who issued the request and keeps info on the mapping (paragraphs 63 and 69), and when needed low priority tasks are scaled back and resources reallocated in favor of tasks flagged high priority (paragraph 71).

Shillo and Naik et al are analogous art because they are both related to managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the priority flagging and judging in Naik et al with the system in Shillo because inefficient use of available resources and high costs are avoided (Naik, paragraph 71).

Claim 9 discloses a storage apparatus system according to claim 7, wherein data stored in said assignment areas of said storage apparatuses includes high-priority data having high priority and low-priority data having low priority; and said management server judges whether data to be written in said storage apparatuses is the high-priority data or the low-priority data on the basis of a write request of data from one of said plurality of servers and keeps judgment result and position information of storage areas in which said data is written; said management server being responsive to an area assignment instruction of storage areas exceeding the unassigned areas received from one of said plurality of servers to release at least part of areas in which the low-priority

data is stored, of the assignment areas of other servers as unassigned areas and

assign released areas to one of said plurality of servers. Shillo teaches of the

limitations of claim 7 as recited above and teaches of data stored in assigned areas of

devices (paragraph 42). It fails to teach of including high and low priority data, judging

whether the data is high or low priority, and releasing low priority data and reassigning it

to another device. Naik et al teaches of a server assigns priority based on the user who

issued the request and keeps info on the mapping (paragraphs 63 and 69), and when

needed low priority tasks are scaled back and resources reallocated in favor of tasks

flagged high priority (paragraph 71).

Shillo and Naik et al are analogous art because they are both related to

managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary

skill in the art to use the priority flagging and judging in Naik et al with the system in

Shillo because inefficient use of available resources and high costs are avoided (Naik,

paragraph 71).

(Claim 10 discloses) a storage apparatus system according to claim 8, wherein

data stored in said used areas of said storage apparatuses includes high-priority data

having high priority and low-priority data having low priority; and said management

server judges whether data to be written in said storage apparatuses is the high-priority

data or the low-priority data on the basis of a write request of data from one of said

plurality of servers and keeps judgment result and position information of storage areas

in which said data is written; said management server being responsive to an area

assignment instruction of storage areas exceeding the unassigned areas received from

one of said plurality of servers to release at least part of said unused areas and at least

part of areas in which the low-priority data is stored, of the assignment areas of other

servers as unassigned areas and assign the areas to one of said plurality of servers.

Shillo teaches of the limitations of claim 8 as recited above and teaches of data stored

in assigned areas of devices, and reallocating unused resources already allocated

(paragraphs 42 and 43). It fails to teach of including high and low priority data, judging

whether the data is high or low priority, and releasing low priority data and reassigning it

to another device. Naik et al teaches of a server assigns priority based on the user who

issued the request and keeps info on the mapping (paragraphs 63 and 69), and when

needed low priority tasks are scaled back and resources reallocated in favor of tasks

flagged high priority (paragraph 71).

Shillo and Naik et al are analogous art because they are both related to

managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary

skill in the art to use the priority flagging and judging in Naik et al with the system in

Shillo because inefficient use of available resources and high costs are avoided (Naik,

paragraph 71).

Claim 15 discloses a computer program product according to claim 13, wherein

data stored in said assignment areas of said storage apparatuses include high-priority

data having high priority and low-priority data having low priority; and said computer

program product further comprising: a code for judging on the basis of a write request of

data from one of said plurality of servers whether data to be written in said storage

apparatuses is said high-priority data or said low-priority data; and code for information

indicative of judgment result and position of storage areas in which said data is written;

said code for releasing at least part of assignment areas of other servers as unassigned

areas including code for being responsive to the area assignment instruction of storage

areas exceeding the unassigned areas received from one of said plurality of servers to

release at least part of areas in which said low-priority data is stored, of the assignment

areas of other servers as unassigned areas. Shillo teaches of the limitations of claim 13

as recited above and teaches of data stored in assigned areas of devices (paragraph

42). It fails to teach of including high and low priority data, judging whether the data is

high or low priority, and releasing low priority data and reassigning it to another device.

Naik et al teaches of a server assigns priority based on the user who issued the request

and keeps info on the mapping (paragraphs 63 and 69), and when needed low priority

tasks are scaled back and resources reallocated in favor of tasks flagged high priority

(paragraph 71).

Shillo and Naik et al are analogous art because they are both related to

managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary

skill in the art to use the priority flagging and judging in Naik et al with the system in

Shillo because inefficient use of available resources and high costs are avoided (Naik,

paragraph 71).

Claim 16 discloses a computer program product according to claim 14, wherein data stored in said used areas of said storage apparatuses include high-priority data having high priority and low-priority data having low priority; and said computer program product further comprising: code for judging on the basis of a write request of data from one of said plurality of servers whether data to be written in said storage apparatuses is said high-priority data or said low-priority data; and code for information indicative of judgment result and position of storage areas in which said data is written; said code for releasing at least part of unused areas of assignment areas of other servers as unassigned areas including code for being responsive to the area assignment instruction of storage areas exceeding the unassigned areas received from one of said plurality of servers to release at least part of said unused areas and at least part of areas in which said low-priority data is stored, of the assignment areas of other servers as unassigned areas. Shillo teaches of the limitations of claim 14 as recited above and teaches of data stored in assigned areas of devices, and reallocating unused resources already allocated (paragraphs 42 and 43). It fails to teach of including high and low priority data, judging whether the data is high or low priority, and releasing low priority data and reassigning it to another device. Naik et al teaches of a server assigns priority based on the user who issued the request and keeps info on the mapping (paragraphs 63 and 69), and when needed low priority tasks are scaled back and resources reallocated in favor of tasks flagged high priority (paragraph 71).

Shillo and Naik et al are analogous art because they are both related to managing storage on a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the priority flagging and judging in Naik et al with the system in Shillo because inefficient use of available resources and high costs are avoided (Naik, paragraph 71).

Claims 5, 6, 11, 12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shillo (US PGPUB US2003/0110263) in view of Karpoff (US PGPUB US2003/0135385).

Claim 5 discloses a management server according to claim 1, wherein said management server makes billing processing for each of said plurality of servers utilizing said storage apparatuses at predetermined intervals. Shillo teaches of the limitations of claim 1 as recited above. It fails to teach of billing each server for the space used at predetermined intervals. Karpoff teaches of billing customers based on usage following revenue models similar to the telephone industry, which is widely known to bill a customer on a monthly basis (paragraphs 115 and 116).

Shillo and Karpoff are analogous art because they are both related to managing storage usage over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the billing engine in Karpoff with the system in Shillo because a storage service provider is able to charge customers accordingly for standard and convenient features (Karpoff, paragraph 110).

Claim 6 discloses a management server according to claim 5, wherein said management server establishes different billing amounts depending on where low-

priority data is stored and high-priority data is stored. Karpoff further teaches of billing a customer premiums based on fast access (high priority) or archival (low priority) (paragraphs 99 and 106).

Claim 11 discloses a storage apparatus system according to claim 7, wherein said management server makes billing processing for each of said plurality of servers utilizing said storage apparatuses at predetermined intervals. Shillo teaches of the limitations of claim 7 as recited above. It fails to teach of billing each server for the space used at predetermined intervals. Karpoff teaches of billing customers based on usage following revenue models similar to the telephone industry, which is widely known to bill a customer on a monthly basis (paragraphs 115 and 116).

Shillo and Karpoff are analogous art because they are both related to managing storage usage over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the billing engine in Karpoff with the system in Shillo because a storage service provider is able to charge customers accordingly for standard and convenient features (Karpoff, paragraph 110).

Claim 12 discloses a storage apparatus system according to claim 11, wherein said management server establishes different billing amounts depending on where low-priority data is stored and high-priority data is stored. Karpoff further teaches of billing a customer premiums based on fast access (high priority) or archival (low priority) (paragraphs 99 and 106).

Claim 17 discloses a computer program product according to claim 13, further comprising: code for causing said management server to execute billing processing for each of said plurality of servers utilizing said storage apparatuses at predetermined intervals. Shillo teaches of the limitations of claim 13 as recited above. It fails to teach of billing each server for the space used at predetermined intervals. Karpoff teaches of billing customers based on usage following revenue models similar to the telephone industry, which is widely known to bill a customer on a monthly basis (paragraphs 115 and 116).

Shillo and Karpoff are analogous art because they are both related to managing storage usage over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the billing engine in Karpoff with the system in Shillo because a storage service provider is able to charge customers accordingly for standard and convenient features (Karpoff, paragraph 110).

Claim 18 discloses a computer program product according to claim 17, further comprising: code for establishing different billing amounts depending on the cases where low-priority data is stored and high-priority data is stored. Karpoff further teaches of billing a customer premiums based on fast access (high priority) or archival (low priority) (paragraphs 99 and 106).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shillo (US PGPUB US2003/0110263) in view of Honmura et al (US PGPUB US2003/0236790).

Claim 19 discloses a management server according to claim 1, further comprising a storage pool management program, wherein said program has at least an unassigned block list and information on a number of unassigned blocks and, when at least said number of unassigned blocks exceeds a size of area assignment requested by said area assignment instruction received from said one of said plurality of servers, determines that the requested area assignment is possible and executes area assignment processing including separating unassigned area of said size from the unassigned block list. Shillo teaches of the limitations of claim 1 as recited above. It fails to teach of said program has at least an unassigned block list and information on a number of unassigned blocks and, when at least said number of unassigned blocks exceeds a size of area assignment requested by said area assignment instruction received from said one of said plurality of servers, determines that the requested area assignment is possible and executes area assignment processing including separating unassigned area of said size from the unassigned block list. Honmura et al teaches of judging based on current information if the requested capacity is available and if the area is available the area is assigned to a device (paragraphs 59, 63, and 64).

Shillo and Honmura et al are analogous art because they are both related to managing network storage.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the judging and assigning features in Honmura et al with the system in Shillo because a storage service is provided which can easily set the capacity of a client (Honmura, paragraph 17).

Claim 20 discloses a management server according to claim 19, wherein said

storage pool management program further comprises storage pool assignment

information, said information including information on a number of unused blocks for

each virtual storage area and the server to which the virtual storage area is assigned,

wherein when a total number of said number of unassigned blocks and said number of

unused blocks exceeds said size of area assignment requested by said area

assignment instruction received from said one of said plurality of servers, said program

determines that the requested area assignment is possible and executes area return

processing including issuing an area return instruction to a server to which a virtual

storage area having said unused blocks has been assigned. Honmura et al further

teaches judging based on current information if the requested area is available and if

the area is available a server is notified (paragraphs 59, 63, and 65).

Response to Arguments

Applicant's arguments filed August 18, 2006 have been fully considered but they

are not persuasive. Applicant asserts Shillo fails to teach a management server

receives from a server an area assignment instruction exceeding unassigned areas, the

management server releases at least part of assignment areas of other servers as

unassigned areas and assigns the released areas to said server. The Examiner

respectfully disagrees, the re-allocation process re-allocates unused resources from

applications to applications which require them for operation (paragraph 43).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                        Brian J Gillis
                                        Examiner
                                        Art Unit 2141

BJG

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER